

Message

From: Matuszko, Jan [Matuszko.Jan@epa.gov]
Sent: 4/8/2020 4:59:29 PM
To: Echeverria, Marietta [Echeverria.Marietta@epa.gov]; Corbin, Mark [Corbin.Mark@epa.gov]
CC: Anderson, Brian [Anderson.Brian@epa.gov]
Subject: RE: Bayer VGX Bibliography - Dicamba

Mark and I are coordinating with our the Dans....

From: Echeverria, Marietta <Echeverria.Marietta@epa.gov>
Sent: Wednesday, April 8, 2020 12:54 PM
To: Corbin, Mark <Corbin.Mark@epa.gov>
Cc: Matuszko, Jan <Matuszko.Jan@epa.gov>; Anderson, Brian <Anderson.Brian@epa.gov>
Subject: Re: Bayer VGX Bibliography - Dicamba

We need to get clarity from Bayer (through RD) on what is their intention with vapogripx. Is it mandatory on the label?
Or allowed but not mandatory?

Sent from my iPhone

On Apr 8, 2020, at 11:30 AM, Corbin, Mark <Corbin.Mark@epa.gov> wrote:

I have to say I was surprised to see this also. Especially since the VGX is already allowed as a tank mix partner

From: Matuszko, Jan <Matuszko.Jan@epa.gov>
Sent: Wednesday, April 08, 2020 11:20 AM
To: Corbin, Mark <Corbin.Mark@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>
Cc: Anderson, Brian <Anderson.Brian@epa.gov>
Subject: RE: Bayer VGX Bibliography - Dicamba

I thought we didn't even know what they are asking of us to do right now. Also, we decided this was not our priority. What am I missing?

From: Corbin, Mark <Corbin.Mark@epa.gov>
Sent: Wednesday, April 8, 2020 10:53 AM
To: Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Matuszko, Jan <Matuszko.Jan@epa.gov>
Cc: Anderson, Brian <Anderson.Brian@epa.gov>
Subject: FW: Bayer VGX Bibliography - Dicamba

FYI

From: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Sent: Wednesday, April 08, 2020 10:52 AM
To: Corbin, Mark <Corbin.Mark@epa.gov>
Cc: Farruggia, Frank <Farruggia.Frank@epa.gov>; Odenkirchen, Edward <Odenkirchen.Edward@epa.gov>; Peck, Charles <Peck.Charles@epa.gov>; Sankula, Sujatha <Sankula.Sujatha@epa.gov>; Wagman, Michael <Wagman.Michael@epa.gov>; Wait, Monica <Wait.Monica@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Schmid, Emily

<Schmid.Emily@epa.gov>; Meadows, Sarah <Meadows.Sarah@epa.gov>

Subject: FW: Bayer VGX Bibliography - Dicamba

Hello Mark:

Following up from the dicamba adjuvant call Bayer had with our office last week, Bayer has provided the attached bibliography of VaporGrip X (MON 51817) spray drift and volatility data.

As noted on the cover page of this document, Bayer/Monsanto say that this is a list of “study data that has been or can be made available to EFED for evaluating the impact on spray drift and volatility characteristics of dicamba when additional VaporGrip is added as a tank mix buffering agent (VaporGrip X).” They have provided MRID numbers for data already submitted to the Agency.

Please take a look at this list and let me know if there is anything if we want to ask Bayer for at this time. If so, Bayer requests that we convey to them if there is a priority shortlist of data that Bayer should prioritize getting to EPA first. Bayer may also try to bring up this list during tomorrow’s 6a2 call at 11am, so keep that in mind too.

Thanks,
Meg

Margaret Hathaway (Meg)
Senior Regulatory Specialist
U.S. Environmental Protection Agency
OCSPP: Office of Pesticide Programs
Registration Division – Herbicide Branch
hathaway.margaret@epa.gov
(703) 305-5076

From: George Sabbagh <george.sabbagh@bayer.com>
Sent: Monday, April 06, 2020 7:21 AM
To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Kenny, Daniel <Kenny.Dan@epa.gov>; BCSReg_Archive <esepamailbox@bayer.com>
Subject: RE: Seeking your Input.

Hello Meg,

Attached is a copy of the bibliography listing the studies that were mentioned in the presentation last week.

Please, let me know if you have questions.

Freundliche Grüße / Best regards,

George Sabbagh, Ph.D.
Director Registrations

<image001.png>
Crop Science, a Division of Bayer
801 Pennsylvania Avenue, NW
Suite 745
Washington, DC 20004
Cel: +1 913 231 6291

E-mail: george.sabbagh@bayer.com
Web: <http://www.bayercropscience.com>

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Subject: RE: Seeking your Input.

Thank you, George:
My office looks forward to seeing the bibliography soon.

Best regards,
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Subject: RE: Seeking your Input.

Hi Meg,

Below is the list of Bayer personnel who participated on the Monday call.

We are compiling the list of studies/reports (Bibliography) that were discussed during the call. The target is to have it completed by end of the week.

Please, let me know if you have questions.

Name	Email	Phone Number
Dan Dyer	dan.dyer@bayer.com	636 737 4696
George Sabbagh	george.sabbagh@bayer.com	913 231 6291
Lance Schuler	lance.schuler@bayer.com	636 737 9344
Naresh Pai	naresh.pai@bayer.com	636 737 9343
Ryan Rector	ryan.rector@bayer.com	314 694 7525
Steven Callen	steven.callen@bayer.com	314 302 9391
Thomas Orr	thomas.orr@bayer.com	636 737 9347
Tilghman Hall	tilghman.hall@bayer.com	636 737 4707
Timothy Fredricks	timothy.fredricks@bayer.com	636 737 9307

Tina Bhakta	tina.bhakta@bayer.com	314 369 5897

Freundliche Grüße / Best regards,

*George Sabbagh, Ph.D.
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To: George Sabbagh <george.sabbagh@bayer.com>
Cc: BCSReg_Archive <esepamailbox@bayer.com>; Kenny, Daniel <Kenny.Dan@epa.gov>
Subject: RE: Seeking your Input.

Thank you, George:

I was able to successfully open the attached slide deck and have forwarded both the slides and Skype invitation to the relevant EPA participants for our 10am call today.

Talk to you soon,
Meg

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(703) 305-5076

From: George Sabbagh <george.sabbagh@bayer.com>
Sent: Sunday, March 29, 2020 1:46 PM
To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>

Cc: BCSReg_Archive <esepamailbox@bayer.com>

Subject: RE: Seeking your Input.

Hi Meg,

Attached is a copy of the slides that will be covered on our call. Additional notes on the content of the slides are provided.

I sent an invite on Friday for our call. The invite includes the link to the Skype call (video and audio). You can forward the invite to your colleagues who will be attending. The link is also provided below. I will get on the call 10 minutes early (9:50 a.m.). If you can join few minutes early, we can test the connection.

Join Skype Meeting

Trouble Joining? [Try Skype Web App](#)

Freundliche Grüße / Best regards,

George Sabbagh, Ph.D.
Director Registrations

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Web: <http://www.bayercropscience.com>

From: Hathaway, Margaret <Hathaway.Margaret@epa.gov>

Sent: Friday, March 27, 2020 4:12 PM

To: George Sabbagh <george.sabbagh@bayer.com>

Cc: BCSReg_Archive <esepamailbox@bayer.com>

Subject: RE: Seeking your Input.

Hello George:

I've gotten direction that for our Monday meeting, my office would actually prefer if Bayer could set up the Skype meeting and provide connection information to EPA staff. Would that be possible? If so, you can email me the meeting details and I will forward them to the appropriate people in my office.

Thank you,
Meg

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Registration Division – Herbicide Branch
hathaway.margaret@epa.gov

(703) 305-5076

From: George Sabbagh <george.sabbagh@bayer.com>
Sent: Tuesday, March 24, 2020 7:37 AM
To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: BCSReg_Archive <esepamailbox@bayer.com>
Subject: RE: Seeking your Input.

Thank you Meg. I will supply the slide deck when completed.

Freundliche Grüße / Best regards,

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E-mail: george.sabbagh@bayer.com
Web: <http://www.bayercropscience.com>

From: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Sent: Monday, March 23, 2020 5:05 PM
To: George Sabbagh <george.sabbagh@bayer.com>
Cc: BCSReg_Archive <esepamailbox@bayer.com>; BCSReg_Archive <esepamailbox@bayer.com>; Kenny, Daniel <Kenny.Dan@epa.gov>
Subject: RE: Seeking your Input.

Great! Thank you, George, for the confirmation.

On Monday at 10am, please use the following link to join the skype conference call.

[Join Skype Meeting](#)

Trouble Joining? [Try Skype Web App](#)

Please keep me posted as your team develops any presentation materials that should be shared with the group.

Thank you,
Meg

Margaret Hathaway (Meg)
Senior Regulatory Specialist
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OCSPP: Office of Pesticide Programs
Registration Division – Herbicide Branch
hathaway.margaret@epa.gov
(703) 305-5076

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From: George Sabbagh <george.sabbagh@bayer.com>
Sent: Monday, March 23, 2020 3:42 PM
To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: BCSReg_Archive <esepamailbox@bayer.com>; BCSReg_Archive <esepamailbox@bayer.com>
Subject: RE: Seeking your Input.

Hi Meg, Monday March 30th 10:00 – 11:00 a.m. works well. Thank you.

Freundliche Grüße / Best regards,

George Sabbagh, Ph.D.
Director Registrations

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801 Pennsylvania Avenue, NW
Suite 745
Washington, DC 20004
Cel: +1 913 231 6291
E-mail: george.sabbagh@bayer.com
Web: <http://www.bayercropscience.com>

From: George Sabbagh
Sent: Monday, March 23, 2020 1:01 PM
To: Kenny, Daniel <Kenny.Dan@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: BCSReg_Archive <esepamailbox@bayer.com>; BCSReg_Archive <esepamailbox@bayer.com>
Subject: RE: Seeking your Input

Dan, Resending the request.

Please, let me know if you need more information.

Thank you.

Freundliche Grüße / Best regards,

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Web: <http://www.bayercropscience.com>

From: George Sabbagh
Sent: Tuesday, March 17, 2020 8:32 AM
To: Kenny, Daniel <Kenny.Dan@epa.gov>

Cc: BCSReg_Archive <esepamailbox@bayer.com>

Subject: Seeking your Input

Hi Dan,

Following up on our call last week.

Bayer is looking to set up a meeting with the Agency (latter part of next week or the week after) to share data from testing the adjuvant VaporGrip X with the Product XtendiMax.

Results from field trials conducted by Bayer and Academics with the VaporGrip X have shown positive response to reducing off-target movement of XtendiMax. During the meeting, Bayer will go over these trials, share the results and discuss further plans.

Meeting information:

Proposed dates: March 26-27, or Week of March 30.

Proposed Agenda: Review of results from Testing VaporGrip X with Xtendimax

Attendees:

- Bayer Regulatory affairs and Environmental Safety
- EPA RD and EFED

Looking forward to hearing from you.

Freundliche Grüße / Best regards,

George Sabbagh, Ph.D.
Director Registrations

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CC: Matuszko, Jan [Matuszko.Jan@epa.gov]; Anderson, Brian [Anderson.Brian@epa.gov]
Subject: RE: Bayer VGX Bibliography - Dicamba

We need confirmation that Bayer is not looking to change the proposed label as part of this process

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Sent: Wednesday, April 08, 2020 12:58 PM
To: Echeverria, Marietta <Echeverria.Marietta@epa.gov>
Cc: Matuszko, Jan <Matuszko.Jan@epa.gov>; Anderson, Brian <Anderson.Brian@epa.gov>
Subject: RE: Bayer VGX Bibliography - Dicamba

Currently it is not on the label but is allowed as a tank mix partner via the approved website. But it is voluntary, not mandatory

It is my understanding they plan to submit it as a registered product but that has not happened yet

mark

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Thanks,
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Lance Schuler	lance.schuler@bayer.com	636 737 9344
Naresh Pai	naresh.pai@bayer.com	636 737 9343
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Steven Callen	steven.callen@bayer.com	314 302 9391
Thomas Orr	thomas.orr@bayer.com	636 737 9347
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Sent: Monday, March 23, 2020 5:05 PM
To: George Sabbagh <george.sabbagh@bayer.com>
Cc: BCSReg_Archive <esepamailbox@bayer.com>; BCSReg_Archive <esepamailbox@bayer.com>; Kenny, Daniel <Kenny.Dan@epa.gov>
Subject: RE: Seeking your Input.

Great! Thank you, George, for the confirmation.

On Monday at 10am, please use the following link to join the skype conference call.

Join Skype Meeting

Trouble Joining? [Try Skype Web App](#)

Please keep me posted as your team develops any presentation materials that should be shared with the group.

Thank you,
Meg

Margaret Hathaway (Meg)
Senior Regulatory Specialist
U.S. Environmental Protection Agency
OCSPP: Office of Pesticide Programs
Registration Division – Herbicide Branch
hathaway.margaret@epa.gov
(703) 305-5076

From: George Sabbagh <george.sabbagh@bayer.com>
Sent: Monday, March 23, 2020 3:42 PM
To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: BCSReg_Archive <esepamailbox@bayer.com>; BCSReg_Archive <esepamailbox@bayer.com>
Subject: RE: Seeking your Input.

Hi Meg, Monday March 30th 10:00 – 11:00 a.m. works well. Thank you.

Freundliche Grüße / Best regards,

George Sabbagh, Ph.D.
Director Registrations

<image001.png>
Crop Science, a Division of Bayer
801 Pennsylvania Avenue, NW
Suite 745
Washington, DC 20004
Cel: +1 913 231 6291
E-mail: george.sabbagh@bayer.com
Web: <http://www.bayercropscience.com>

From: George Sabbagh
Sent: Monday, March 23, 2020 1:01 PM
To: Kenny, Daniel <Kenny.Dan@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: BCSReg_Archive <esepamailbox@bayer.com>; BCSReg_Archive <esepamailbox@bayer.com>
Subject: RE: Seeking your Input

Dan, Resending the request.

Please, let me know if you need more information.

Thank you.

Freundliche Grüße / Best regards,

George Sabbagh, Ph.D.
Director Registrations

<image001.png>

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Suite 745
Washington, DC 20004
Cel: +1 913 231 6291
E-mail: george.sabbagh@bayer.com
Web: <http://www.bayercropscience.com>

From: George Sabbagh
Sent: Tuesday, March 17, 2020 8:32 AM
To: Kenny, Daniel <Kenny.Dan@epa.gov>
Cc: BCSReg_Archive <esepamailbox@bayer.com>
Subject: Seeking your Input

Hi Dan,

Following up on our call last week.

Bayer is looking to set up a meeting with the Agency (latter part of next week or the week after) to share data from testing the adjuvant VaporGrip X with the Product XtendiMax.

Results from field trials conducted by Bayer and Academics with the VaporGrip X have shown positive response to reducing off-target movement of XtendiMax. During the meeting, Bayer will go over these trials, share the results and discuss further plans.

Meeting information:

Proposed dates: March 26-27, or Week of March 30.

Proposed Agenda: Review of results from Testing VaporGrip X with Xtendimax

Attendees:

- Bayer Regulatory affairs and Environmental Safety
- EPA RD and EFED

Looking forward to hearing from you.

Freundliche Grüße / Best regards,

George Sabbagh, Ph.D.
Director Registrations

<image001.png>

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Washington, DC 20004
Cel: +1 913 231 6291
E-mail: george.sabbagh@bayer.com
Web: <http://www.bayercropscience.com>

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.....

Message

From: Echeverria, Marietta [Echeverria.Marietta@epa.gov]
Sent: 4/8/2020 4:54:23 PM
To: Corbin, Mark [Corbin.Mark@epa.gov]
CC: Matuszko, Jan [Matuszko.Jan@epa.gov]; Anderson, Brian [Anderson.Brian@epa.gov]
Subject: Re: Bayer VGX Bibliography - Dicamba

We need to get clarity from Bayer (through RD) on what is their intention with vapogripx. Is it mandatory on the label?
Or allowed but not mandatory?

Sent from my iPhone

On Apr 8, 2020, at 11:30 AM, Corbin, Mark <Corbin.Mark@epa.gov> wrote:

I have to say I was surprised to see this also. Especially since the VGX is already allowed as a tank mix partner

From: Matuszko, Jan <Matuszko.Jan@epa.gov>
Sent: Wednesday, April 08, 2020 11:20 AM
To: Corbin, Mark <Corbin.Mark@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>
Cc: Anderson, Brian <Anderson.Brian@epa.gov>
Subject: RE: Bayer VGX Bibliography - Dicamba

I thought we didn't even know what they are asking of us to do right now. Also, we decided this was not our priority. What am I missing?

From: Corbin, Mark <Corbin.Mark@epa.gov>
Sent: Wednesday, April 8, 2020 10:53 AM
To: Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Matuszko, Jan <Matuszko.Jan@epa.gov>
Cc: Anderson, Brian <Anderson.Brian@epa.gov>
Subject: FW: Bayer VGX Bibliography - Dicamba

FYI

From: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Sent: Wednesday, April 08, 2020 10:52 AM
To: Corbin, Mark <Corbin.Mark@epa.gov>
Cc: Farruggia, Frank <Farruggia.Frank@epa.gov>; Odenkirchen, Edward <Odenkirchen.Edward@epa.gov>; Peck, Charles <Peck.Charles@epa.gov>; Sankula, Sujatha <Sankula.Sujatha@epa.gov>; Wagman, Michael <Wagman.Michael@epa.gov>; Wait, Monica <Wait.Monica@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>; Meadows, Sarah <Meadows.Sarah@epa.gov>
Subject: FW: Bayer VGX Bibliography - Dicamba

Hello Mark:

Following up from the dicamba adjuvant call Bayer had with our office last week, Bayer has provided the attached bibliography of VaporGrip X (MON 51817) spray drift and volatility data.

As noted on the cover page of this document, Bayer/Monsanto say that this is a list of “study data that has been or can be made available to EFED for evaluating the impact on spray drift and volatility characteristics of dicamba when additional VaporGrip is added as a tank mix buffering agent (VaporGrip X).” They have provided MRID numbers for data already submitted to the Agency.

Please take a look at this list and let me know if there is anything if we want to ask Bayer for at this time. If so, Bayer requests that we convey to them if there is a priority shortlist of data that Bayer should prioritize getting to EPA first. Bayer may also try to bring up this list during tomorrow’s 6a2 call at 11am, so keep that in mind too.

Thanks,
Meg

Margaret Hathaway (Meg)
Senior Regulatory Specialist
U.S. Environmental Protection Agency
OCSPP: Office of Pesticide Programs
Registration Division – Herbicide Branch
hathaway.margaret@epa.gov
(703) 305-5076

From: George Sabbagh <george.sabbagh@bayer.com>
Sent: Monday, April 06, 2020 7:21 AM
To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Kenny, Daniel <Kenny.Dan@epa.gov>; BCSReg_Archive <esepamailbox@bayer.com>
Subject: RE: Seeking your Input.

Hello Meg,

Attached is a copy of the bibliography listing the studies that were mentioned in the presentation last week.

Please, let me know if you have questions.

Freundliche Grüße / Best regards,

George Sabbagh, Ph.D.
Director Registrations

<image001.png>
Crop Science, a Division of Bayer
801 Pennsylvania Avenue, NW
Suite 745
Washington, DC 20004
Cel: +1 913 231 6291
E-mail: george.sabbagh@bayer.com
Web: <http://www.bayercropscience.com>

From: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Sent: Wednesday, April 1, 2020 1:11 PM
To: George Sabbagh <george.sabbagh@bayer.com>

Cc: Kenny, Daniel <Kenny.Dan@epa.gov>; BCSReg_Archive <esepamailbox@bayer.com>

Subject: RE: Seeking your Input.

Thank you, George:

My office looks forward to seeing the bibliography soon.

Best regards,

Meg

Margaret Hathaway (Meg)
Senior Regulatory Specialist
U.S. Environmental Protection Agency
OCSPP: Office of Pesticide Programs
Registration Division – Herbicide Branch
hathaway.margaret@epa.gov
(703) 305-5076

From: George Sabbagh <george.sabbagh@bayer.com>

Sent: Wednesday, April 01, 2020 11:18 AM

To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>

Cc: Kenny, Daniel <Kenny.Dan@epa.gov>; BCSReg_Archive <esepamailbox@bayer.com>

Subject: RE: Seeking your Input.

Hi Meg,

Below is the list of Bayer personnel who participated on the Monday call.

We are compiling the list of studies/reports (Bibliography) that were discussed during the call. The target is to have it completed by end of the week.

Please, let me know if you have questions.

Name	Email	Phone Number
Dan Dyer	dan.dyer@bayer.com	636 737 4696
George Sabbagh	george.sabbagh@bayer.com	913 231 6291
Lance Schuler	lance.schuler@bayer.com	636 737 9344
Naresh Pai	naresh.pai@bayer.com	636 737 9343
Ryan Rector	ryan.rector@bayer.com	314 694 7525
Steven Callen	steven.callen@bayer.com	314 302 9391
Thomas Orr	thomas.orr@bayer.com	636 737 9347
Tilghman Hall	tilghman.hall@bayer.com	636 737 4707
Timothy Fredricks	timothy.fredricks@bayer.com	636 737 9307
Tina Bhakta	tina.bhakta@bayer.com	314 369 5897

Freundliche Grüße / Best regards,

George Sabbagh, Ph.D.
Director Registrations

<image001.png>

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801 Pennsylvania Avenue, NW
Suite 745
Washington, DC 20004
Cel: +1 913 231 6291
E-mail: george.sabbagh@bayer.com
Web: <http://www.bayercropscience.com>

From: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Sent: Monday, March 30, 2020 9:21 AM
To: George Sabbagh <george.sabbagh@bayer.com>
Cc: BCSReg_Archive <esepamailbox@bayer.com>; Kenny, Daniel <Kenny.Dan@epa.gov>
Subject: RE: Seeking your Input.

Thank you, George:

I was able to successfully open the attached slide deck and have forwarded both the slides and Skype invitation to the relevant EPA participants for our 10am call today.

Talk to you soon,
Meg

Margaret Hathaway (Meg)
Senior Regulatory Specialist
U.S. Environmental Protection Agency
OCSPP: Office of Pesticide Programs
Registration Division – Herbicide Branch
hathaway.margaret@epa.gov
(703) 305-5076

From: George Sabbagh <george.sabbagh@bayer.com>
Sent: Sunday, March 29, 2020 1:46 PM
To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: BCSReg_Archive <esepamailbox@bayer.com>
Subject: RE: Seeking your Input.

Hi Meg,

Attached is a copy of the slides that will be covered on our call. Additional notes on the content of the slides are provided.

I sent an invite on Friday for our call. The invite includes the link to the Skype call (video and audio). You can forward the invite to your colleagues who will be attending. The link is also provided below. I will get on the call 10 minutes early (9:50 a.m.). If you can join few minutes early, we can test the connection.

Join Skype Meeting

Trouble Joining? [Try Skype Web App](#)

Freundliche Grüße / Best regards,

George Sabbagh, Ph.D.
Director Registrations

<image001.png>

Crop Science, a Division of Bayer
801 Pennsylvania Avenue, NW
Suite 745
Washington, DC 20004
Cel: +1 913 231 6291
E-mail: george.sabbagh@bayer.com
Web: <http://www.bayercropscience.com>

From: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Sent: Friday, March 27, 2020 4:12 PM
To: George Sabbagh <george.sabbagh@bayer.com>
Cc: BCSReg_Archive <esepamailbox@bayer.com>
Subject: RE: Seeking your Input.

Hello George:

I've gotten direction that for our Monday meeting, my office would actually prefer if Bayer could set up the Skype meeting and provide connection information to EPA staff. Would that be possible? If so, you can email me the meeting details and I will forward them to the appropriate people in my office.

Thank you,
Meg

Margaret Hathaway (Meg)
Senior Regulatory Specialist
U.S. Environmental Protection Agency
OCSPP: Office of Pesticide Programs
Registration Division – Herbicide Branch
hathaway.margaret@epa.gov
(703) 305-5076

From: George Sabbagh <george.sabbagh@bayer.com>
Sent: Tuesday, March 24, 2020 7:37 AM
To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>

Cc: BCSReg_Archive <esepamailbox@bayer.com>

Subject: RE: Seeking your Input.

Thank you Meg. I will supply the slide deck when completed.

Freundliche Grüße / Best regards,

George Sabbagh, Ph.D.
Director Registrations

<image001.png>

Crop Science, a Division of Bayer
801 Pennsylvania Avenue, NW
Suite 745
Washington, DC 20004
Cel: +1 913 231 6291
E-mail: george.sabbagh@bayer.com
Web: <http://www.bayercropscience.com>

From: Hathaway, Margaret <Hathaway.Margaret@epa.gov>

Sent: Monday, March 23, 2020 5:05 PM

To: George Sabbagh <george.sabbagh@bayer.com>

Cc: BCSReg_Archive <esepamailbox@bayer.com>; BCSReg_Archive <esepamailbox@bayer.com>; Kenny, Daniel <Kenny.Dan@epa.gov>

Subject: RE: Seeking your Input.

Great! Thank you, George, for the confirmation.

On Monday at 10am, please use the following link to join the skype conference call.

[Join Skype Meeting](#)

Trouble Joining? [Try Skype Web App](#)

Please keep me posted as your team develops any presentation materials that should be shared with the group.

Thank you,
Meg

Margaret Hathaway (Meg)
Senior Regulatory Specialist
U.S. Environmental Protection Agency
OCSPP: Office of Pesticide Programs
Registration Division – Herbicide Branch
hathaway.margaret@epa.gov
(703) 305-5076

From: George Sabbagh <george.sabbagh@bayer.com>

Sent: Monday, March 23, 2020 3:42 PM

To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>

Cc: BCSReg_Archive <esepamailbox@bayer.com>; BCSReg_Archive <esepamailbox@bayer.com>

Subject: RE: Seeking your Input.

Hi Meg, Monday March 30th 10:00 – 11:00 a.m. works well. Thank you.

Freundliche Grüße / Best regards,

George Sabbagh, Ph.D.
Director Registrations

<image001.png>

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Suite 745
Washington, DC 20004
Cel: +1 913 231 6291
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Web: <http://www.bayercropscience.com>

From: George Sabbagh
Sent: Monday, March 23, 2020 1:01 PM
To: Kenny, Daniel <Kenny.Dan@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: BCSReg_Archive <esepamailbox@bayer.com>; BCSReg_Archive <esepamailbox@bayer.com>
Subject: RE: Seeking your Input

Dan, Resending the request.

Please, let me know if you need more information.

Thank you.

Freundliche Grüße / Best regards,

George Sabbagh, Ph.D.
Director Registrations

<image001.png>

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Suite 745
Washington, DC 20004
Cel: +1 913 231 6291
E-mail: george.sabbagh@bayer.com
Web: <http://www.bayercropscience.com>

From: George Sabbagh
Sent: Tuesday, March 17, 2020 8:32 AM
To: Kenny, Daniel <Kenny.Dan@epa.gov>
Cc: BCSReg_Archive <esepamailbox@bayer.com>
Subject: Seeking your Input

Hi Dan,

Following up on our call last week.

Bayer is looking to set up a meeting with the Agency (latter part of next week or the week after) to share data from testing the adjuvant VaporGrip X with the Product XtendiMax.

Results from field trials conducted by Bayer and Academics with the VaporGrip X have shown positive response to reducing off-target movement of XtendiMax. During the meeting, Bayer will go over these trials, share the results and discuss further plans.

Meeting information:

Proposed dates: March 26-27, or Week of March 30.

Proposed Agenda: Review of results from Testing VaporGrip X with Xtendimax

Attendees:

- Bayer Regulatory affairs and Environmental Safety
- EPA RD and EFED

Looking forward to hearing from you.

Freundliche Grüße / Best regards,

George Sabbagh, Ph.D.
Director Registrations

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801 Pennsylvania Avenue, NW
Suite 745

Washington, DC 20004

Cel: +1 913 231 6291

E-mail: george.sabbagh@bayer.com

Web: <http://www.bayercropscience.com>

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Message

From: Echeverria, Marietta [Echeverria.Marietta@epa.gov]
Sent: 6/9/2020 8:16:07 PM
To: Goodis, Michael [Goodis.Michael@epa.gov]; Matuszko, Jan [Matuszko.Jan@epa.gov]; Anderson, Brian [Anderson.Brian@epa.gov]
Subject: RE: Bayer Statement

thanks

From: Goodis, Michael <Goodis.Michael@epa.gov>
Sent: Tuesday, June 09, 2020 4:04 PM
To: Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Matuszko, Jan <Matuszko.Jan@epa.gov>; Anderson, Brian <Anderson.Brian@epa.gov>
Subject: FW: Bayer Statement

Not sure if you saw this statement from Bayer regarding a new registration for XtendiMax for the 2021 season

Michael L. Goodis, P.E.
Director, Registration Division (RD)
Office of Pesticide Programs (OPP)

Phone 703-308-8157
Room S7623

From: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Sent: Tuesday, June 09, 2020 3:35 PM
To: Kenny, Daniel <Kenny.Dan@epa.gov>; Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>; Goodis, Michael <Goodis.Michael@epa.gov>
Cc: Schmid, Emily <Schmid.Emily@epa.gov>
Subject: FW: Bayer Statement - Attn. HB

Hello All:

I've just glanced at this Bayer statement that Rick forwarded to us, but in case you haven't opened it yet, I suspect the following line is the one most relevant for HB:

"The EPA is currently reviewing a new registration for XtendiMax for the 2021 season and beyond – we hope the EPA completes the review and issues a new registration by this fall."

- Meg

From: Keigwin, Richard <Keigwin.Richard@epa.gov>
Sent: Tuesday, June 09, 2020 12:54 PM
To: Dunn, Alexandra <dunn.alexandra@epa.gov>; Meadows, Carrie Vicenta <Meadows.CarrieVicenta@epa.gov>; Lis-Coghlan, Kamila <lis-coghlan.kamila@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Knorr, Michele <knorr.michele@epa.gov>; Koch, Erin <Koch.Erin@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Cole, Joseph E. <cole.josephe@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>; Bolen, Derrick <bolen.derrick@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>; Goodis, Michael <Goodis.Michael@epa.gov>
Subject: Bayer Statement

FYI

From: Dunn, Alexandra <dunn.alexandra@epa.gov>

Sent: Tuesday, June 09, 2020 12:07 PM

To: Meadows, Carrie Vicenta <Meadows.CarrieVicenta@epa.gov>; Keigwin, Richard <Keigwin.Richard@epa.gov>; Lis-Coghlan, Kamila <lis-coghlan.kamila@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>

Cc: Knorr, Michele <knorr.michele@epa.gov>; Koch, Erin <Koch.Erin@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Cole, Joseph E. <cole.josephe@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>; Bolen, Derrick <bolen.derrick@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>; Goodis, Michael <Goodis.Michael@epa.gov>

Subject: RE: UPDATE!

[6/9/2020 11:21 AM]

Can a retailer who has inventory in stock that had been purchased by a grower (via written or verbal contract) prior to June 3 but not yet delivered, can that product be applied by a commercial applicator?

[6/9/2020 11:26 AM]

Can a retailer who has inventory in stock that had been purchased by a grower via written or verbal contract be delivered?

[6/9/2020 11:29 AM]

If the retailer is also a commercial applicator does it make a difference?

[6/9/2020 11:36 AM]

Do we need to amend the order to allow retailers to distribute or sale for the purpose of facilitating use?

[6/9/2020 11:59 AM]

What actions can be taken by different people in the supply chain under our order?

Alexandra Dapolito Dunn, Esq.
Assistant Administrator
Office of Chemical Safety and Pollution Prevention
US Environmental Protection Agency
Washington, DC

From: Dunn, Alexandra

Sent: Tuesday, June 9, 2020 10:55 AM

To: Meadows, Carrie Vicenta <Meadows.CarrieVicenta@epa.gov>; Keigwin, Richard <Keigwin.Richard@epa.gov>; Lis-Coghlan, Kamila <lis-coghlan.kamila@epa.gov>; Knorr, Michele <Knorr.Michele@epa.gov>

Cc: Knorr, Michele <Knorr.Michele@epa.gov>; Koch, Erin <Koch.Erin@epa.gov>; Fotouhi, David <fotouhi.david@epa.gov>; Cole, Joseph E. <cole.josephe@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>; Bolen, Derrick <bolen.derrick@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>; Goodis, Michael <Goodis.Michael@epa.gov>

Subject: RE: UPDATE!

Another letter w questions.

From: Dunn, Alexandra

Sent: Tuesday, June 9, 2020 10:52 AM

To: Meadows, Carrie Vicenta <Meadows.CarrieVicenta@epa.gov>; Keigwin, Richard <Keigwin.Richard@epa.gov>; Lis-Coghlan, Kamila <lis-coghlan.kamila@epa.gov>; Knorr, Michele <Knorr.Michele@epa.gov>

Cc: Knorr, Michele <Knorr.Michele@epa.gov>; Koch, Erin <Koch.Erin@epa.gov>; Fotouhi, David <fotouhi.david@epa.gov>; Cole, Joseph E. <cole.josephe@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>; Bolen, Derrick <bolen.derrick@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>; Goodis, Michael <Goodis.Michael@epa.gov>

Subject: RE: UPDATE!

All, I am going to invite us to a Skype Meeting for 1115 so that we can prioritize the work that needs to happen today, the form it will take, and the timing of it all. Please hop on and hopefully we can decide how to proceed and help one another.

Alexandra Dapolito Dunn, Esq.

Assistant Administrator

Office of Chemical Safety and Pollution Prevention

US Environmental Protection Agency

Washington, DC

From: Meadows, Carrie Vicenta <Meadows.CarrieVicenta@epa.gov>

Sent: Tuesday, June 9, 2020 10:20 AM

To: Dunn, Alexandra <dunn.alexandra@epa.gov>; Keigwin, Richard <Keigwin.Richard@epa.gov>; Lis-Coghlan, Kamila <lis-coghlan.kamila@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>

Cc: Knorr, Michele <knorr.michele@epa.gov>; Koch, Erin <Koch.Erin@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Cole, Joseph E. <cole.josephe@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>; Bolen, Derrick <bolen.derrick@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>; Goodis, Michael <Goodis.Michael@epa.gov>

Subject: RE: UPDATE!

I think these all go back to the same question—What constitutes a sell. I.e. if a product has been contracted verbally or in writing to a farmer OR a commercial applicator, but not yet paid for, is there an issue with this product being transferred. So I think that also gets to Cotton's question of whether or not ONLY commercial applicators can have this product.

From: Dunn, Alexandra <dunn.alexandra@epa.gov>

Sent: Tuesday, June 9, 2020 10:08 AM

To: Meadows, Carrie Vicenta <Meadows.CarrieVicenta@epa.gov>; Keigwin, Richard <Keigwin.Richard@epa.gov>; Lis-Coghlan, Kamila <lis-coghlan.kamila@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>

Cc: Knorr, Michele <knorr.michele@epa.gov>; Koch, Erin <Koch.Erin@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Cole, Joseph E. <cole.josephe@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>; Bolen, Derrick <bolen.derrick@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>; Goodis, Michael <Goodis.Michael@epa.gov>

Subject: RE: UPDATE!

Carrie, which is the most IMPORTANT question PTSLO should answer now. Is it the cotton one? We have to prioritize.

From: Dunn, Alexandra

Sent: Tuesday, June 9, 2020 10:04 AM

To: Meadows, Carrie Vicenta <Meadows.CarrieVicenta@epa.gov>; Keigwin, Richard <Keigwin.Richard@epa.gov>; Lis-Coghlan, Kamila <lis-coghlan.kamila@epa.gov>; Knorr, Michele <Knorr.Michele@epa.gov>

Cc: Knorr, Michele <Knorr.Michele@epa.gov>; Koch, Erin <Koch.Erin@epa.gov>; Fotouhi, David

<fotouhi.david@epa.gov>; Cole, Joseph E. <cole.josephe@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>; Bolen, Derrick <bolen.derrick@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>; Goodis, Michael <Goodis.Michael@epa.gov>

Subject: RE: UPDATE!

From Cotton, Steve Helmsley:

Unfortunately, emails are blowing up trying to interpret something that you may think is clear.

1. Is it correct that distributors and retailers who are NOT commercial applicators must return or dispose?
2. Is it correct that retailers who ARE commercial applicators can distribute or sell for the purpose of facilitating use? And,
 1. 'Distribute or sell' would mean they can apply it as applicators or sell it to growers to apply?

Alexandra Dapolito Dunn, Esq.
Assistant Administrator
Office of Chemical Safety and Pollution Prevention
US Environmental Protection Agency
Washington, DC

From: Dunn, Alexandra

Sent: Tuesday, June 9, 2020 10:03 AM

To: Meadows, Carrie Vicenta <Meadows.CarrieVicenta@epa.gov>; Keigwin, Richard <Keigwin.Richard@epa.gov>; Lis-Coghlan, Kamila <lis-coghlan.kamila@epa.gov>; Knorr, Michele <Knorr.Michele@epa.gov>

Cc: Knorr, Michele <Knorr.Michele@epa.gov>; Koch, Erin <Koch.Erin@epa.gov>; Fotouhi, David <fotouhi.david@epa.gov>; Cole, Joseph E. <cole.josephe@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>; Bolen, Derrick <bolen.derrick@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>; Goodis, Michael <Goodis.Michael@epa.gov>

Subject: RE: UPDATE!

Question from CroLife and Jim Massie:

applicator and distributors need to know whether its "ok" to use the material that is already in the chain of distribution.

Jim Massie
202-841-8037

Alexandra Dapolito Dunn, Esq.
Assistant Administrator
Office of Chemical Safety and Pollution Prevention
US Environmental Protection Agency
Washington, DC

From: Meadows, Carrie Vicenta <Meadows.CarrieVicenta@epa.gov>

Sent: Tuesday, June 9, 2020 9:53 AM

To: Keigwin, Richard <Keigwin.Richard@epa.gov>; Dunn, Alexandra <dunn.alexandra@epa.gov>; Lis-Coghlan, Kamila <lis-coghlan.kamila@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>

Cc: Knorr, Michele <knorr.michele@epa.gov>; Koch, Erin <Koch.Erin@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Cole, Joseph E. <cole.josephe@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>; Bolen,

Derrick <bolen.derrick@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>; Goodis, Michael <Goodis.Michael@epa.gov>

Subject: RE: UPDATE!

Apologies to Meg in advance, but just confirming we should forward her all the inquiries.

From: Keigwin, Richard <Keigwin.Richard@epa.gov>

Sent: Tuesday, June 9, 2020 9:24 AM

To: Dunn, Alexandra <dunn.alexandra@epa.gov>; Lis-Coghlan, Kamila <lis-coghlan.kamila@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>

Cc: Meadows, Carrie Vicenta <Meadows.CarrieVicenta@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>; Koch, Erin <Koch.Erin@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Cole, Joseph E. <cole.josephe@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>; Bolen, Derrick <bolen.derrick@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>; Goodis, Michael <Goodis.Michael@epa.gov>

Subject: RE: UPDATE!

Meg Hathaway in OPP's Registration Division will be our point for this effort.

From: Keigwin, Richard

Sent: Tuesday, June 09, 2020 8:40 AM

To: Dunn, Alexandra <dunn.alexandra@epa.gov>; Lis-Coghlan, Kamila <lis-coghlan.kamila@epa.gov>; Knorr, Michele <Knorr.Michele@epa.gov>

Cc: Meadows, Carrie Vicenta <Meadows.CarrieVicenta@epa.gov>; Knorr, Michele <Knorr.Michele@epa.gov>; Koch, Erin <Koch.Erin@epa.gov>; Fotouhi, David <fotouhi.david@epa.gov>; Cole, Joseph E. <cole.josephe@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>; Bolen, Derrick <bolen.derrick@epa.gov>

Subject: RE: UPDATE!

OPP will take the lead in getting the Teams site established. Mike Goodis is in the process of identifying someone to work with us in developing the Qs and As.

From: Dunn, Alexandra <dunn.alexandra@epa.gov>

Sent: Tuesday, June 09, 2020 8:18 AM

To: Lis-Coghlan, Kamila <lis-coghlan.kamila@epa.gov>; Keigwin, Richard <Keigwin.Richard@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>

Cc: Meadows, Carrie Vicenta <Meadows.CarrieVicenta@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>; Koch, Erin <Koch.Erin@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Cole, Joseph E. <cole.josephe@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>; Bolen, Derrick <bolen.derrick@epa.gov>

Subject: RE: UPDATE!

Michele can you create the teams site pls?

Here's one from the OPA:

Q: Does this mean that the EPA says no more to using the three products at all after July 31? Is EPA not going to appeal this or to clarify, is this part of the appeal?

A (to be properly formatted): We cannot answer the question on appeal. Under EPA's cancellation order, after July 31, the product cannot be used.

Alexandra Dapolito Dunn, Esq.
Assistant Administrator
Office of Chemical Safety and Pollution Prevention

From: Block, Molly
Sent: Monday, June 8, 2020 8:45 PM
To: Dunn, Alexandra <dunn.alexandra@epa.gov>
Cc: Dennis, Allison <Dennis.Allison@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Woods, Andrea <Woods.Andrea@epa.gov>
Subject: Re: Follow Up Press Inquiries

Alexandra Dapolito Dunn, Esq.
Assistant Administrator
Office of Chemical Safety and Pollution Prevention
US Environmental Protection Agency
Washington, DC

From: Lis-Coghlan, Kamila <lis-coghlan.kamila@epa.gov>
Sent: Tuesday, June 9, 2020 7:01 AM
To: Keigwin, Richard <Keigwin.Richard@epa.gov>; Dunn, Alexandra <dunn.alexandra@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>
Cc: Meadows, Carrie Vicenta <Meadows.CarrieVicenta@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>; Koch, Erin <Koch.Erin@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Cole, Joseph E. <cole.josephe@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>; Bolen, Derrick <bolen.derrick@epa.gov>
Subject: RE: UPDATE!

PTSLO and I are also working on the following:

With regard to paragraph 2(c) (on page 11), if a company is both a commercial applicator and retailer, can it continue to sell product even if some of their individual retail locations don't provide commercial application services?

From: Keigwin, Richard <Keigwin.Richard@epa.gov>
Sent: Tuesday, June 9, 2020 6:45 AM
To: Dunn, Alexandra <dunn.alexandra@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>
Cc: Meadows, Carrie Vicenta <Meadows.CarrieVicenta@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>; Koch, Erin <Koch.Erin@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Lis-Coghlan, Kamila <lis-coghlan.kamila@epa.gov>; Cole, Joseph E. <cole.josephe@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>; Bolen, Derrick <bolen.derrick@epa.gov>
Subject: RE: UPDATE!

Not sure who is creating the Teams site, but here are some additional q's I received overnight:

- If a retailer is storing product for a grower who may have already bought it, can the grower have it? Or since it is in the retailer's facility, can they not take possession?
- What is the legal status of the movement of product that states allowed between June 3rd and June 8th?

From: Dunn, Alexandra <dunn.alexandra@epa.gov>
Sent: Monday, June 08, 2020 10:00 PM
To: Knorr, Michele <knorr.michele@epa.gov>
Cc: Meadows, Carrie Vicenta <Meadows.CarrieVicenta@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>; Keigwin, Richard <Keigwin.Richard@epa.gov>; Koch, Erin <Koch.Erin@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Lis-

Coghlan, Kamila <lis-coghlan.kamila@epa.gov>; Cole, Joseph E. <cole.josephe@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>; Bolen, Derrick <bolen.derrick@epa.gov>

Subject: Re: UPDATE!

Let's go with a teams site. It will help I think!

Alexandra Dapolito Dunn, Esq.
Assistant Administrator
Office of Chemical Safety & Pollution Prevention
U.S. Environmental Protection Agency
Washington, DC

Sent from my iPhone

On Jun 8, 2020, at 9:28 PM, Bolen, Derrick <bolen.derrick@epa.gov> wrote:

<https://www.aradc.org/news/ara-seeks-clarification-epa-courts-dicamba-decisions-impact-ag-retailers>

Thank you,
Derrick Bolen

On Jun 8, 2020, at 9:14 PM, Meadows, Carrie Vicenta <Meadows.CarrieVicenta@epa.gov> wrote:

The question of sales is coming up a lot. Apparently there is a unique issue with sales Mississippi that will need clarification.

Sent from my iPhone

On Jun 8, 2020, at 8:30 PM, Knorr, Michele <knorr.michele@epa.gov> wrote:

Consider creating a teams site where we can have a question and answer document loaded to the files function and that way anyone can access it. I can work with folks to create this if you'd like.

Michele Knorr
OGC
202-564-5631

On Jun 8, 2020, at 8:24 PM, Dunn, Alexandra <dunn.alexandra@epa.gov> wrote:

Can we create a document with all the questions? Michele's one drive worked awesome.

Alexandra Dapolito Dunn, Esq.
Assistant Administrator
Office of Chemical Safety & Pollution
Prevention
U.S. Environmental Protection Agency
Washington, DC

Sent from my iPhone

On Jun 8, 2020, at 8:15 PM,
Keigwin, Richard
<Keigwin.Richard@epa.gov>
wrote:

So far, I have received the
following Qs:

To achieve some clarity we would
appreciate answers to the
following questions:

1. If the retailer has a commercial applicator business, can that commercial applicator apply product that was in the retail warehouse as of June 3, 2020?
2. If the retailer has inventory in stock that had been purchased by a grower prior to June 3, 2020, but not yet delivered, can that product be applied by a commercial applicator? The order appears to prohibit delivery of that product to the purchasing grower.

Rick Keigwin
Director, Office of Pesticide
Programs
U.S. Environmental
Protection Agency
Phone: 703-305-7090
Website:
<http://www.epa.gov/pesticides>
Sent from my iPhone (Please
excuse typos!)

On Jun 8, 2020,
at 7:42 PM,
Meadows, Carrie
Vicenta
<[Meadows.Carrie
Vicenta@epa.gov](mailto:Meadows.CarrieVicenta@epa.gov)
> wrote:

I have already
gotten a call
about contracts
and selling. It will
probably be
worth writing
something so we
are all
responding the
same.

Sent from my
iPhone

On
Jun
8,
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<dunn.alexandra@epa.gov
dunn.alexandra@epa.gov

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Message

From: Echeverria, Marietta [Echeverria.Marietta@epa.gov]
Sent: 6/8/2020 1:24:22 PM
To: Corbin, Mark [Corbin.Mark@epa.gov]; Matuszko, Jan [Matuszko.Jan@epa.gov]
CC: Anderson, Brian [Anderson.Brian@epa.gov]
Subject: RE: Tavium vs Extendimax

Ok, thanks!

From: Corbin, Mark <Corbin.Mark@epa.gov>
Sent: Monday, June 08, 2020 8:13 AM
To: Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Matuszko, Jan <Matuszko.Jan@epa.gov>
Cc: Anderson, Brian <Anderson.Brian@epa.gov>
Subject: FW: Tavium vs Extendimax

Just an fyi to keep you in the loop. I am meeting with them this morning

From: Kenny, Daniel <Kenny.Dan@epa.gov>
Sent: Saturday, June 06, 2020 9:14 AM
To: Corbin, Mark <Corbin.Mark@epa.gov>
Cc: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Subject: Tavium vs Extendimax

Hi Mark. I need to talk to you briefly on Monday about how we registered Tavium (Syngenta's dicamba OTT product). They were registered as a me-too, and as I recall, we used their volatility data to bridge to the volatility data base submitted by Monsanto and used to register. In other words, Syngenta didn't submit all the volatility data they would have needed if they were the only ones in the game, but just enough for us to say it was comparable to Xtendimax and bridge the remaining data, right?

Let's talk for a minute on Monday. I can set something up.

Thanks,
Dan

Daniel Kenny, Chief
Herbicide Branch
Registration Division
Office of Pesticide Programs
U.S. Environmental Protection Agency

Message

From: Corbin, Mark [Corbin.Mark@epa.gov]
Sent: 10/14/2020 9:32:51 PM
To: Muela, Stephen [muela.stephen@epa.gov]; Kyle, Lee [Kyle.Lee@epa.gov]
CC: Anderson, Brian [Anderson.Brian@epa.gov]; Connolly, Jennifer [Connolly.Jennifer@epa.gov]
Subject: RE: dicamba

Just forwarded you the updated Metadata from RD. only for three products. Xtend, Engenia and Tavium. Sounds like Fexapan (**Ex. 4 CBI**) will get approved after this initial decision but don't know timing

Brian, what do you think? Do we remove Fexapan from the BLT system now, knowing we may have to add it back in a few months?

Mark

PS – Jen will have the current county and species list for the updated BLT

From: Muela, Stephen <muela.stephen@epa.gov>
Sent: Wednesday, October 14, 2020 5:07 PM
To: Corbin, Mark <Corbin.Mark@epa.gov>; Kyle, Lee <Kyle.Lee@epa.gov>
Cc: Anderson, Brian <Anderson.Brian@epa.gov>
Subject: RE: dicamba

Hi Mark,

I am assuming we must have done a BLT update for Tavium. We currently have limitations associated with the products Tavium and Tavium with Vaporgrip. This particular PULA was created on 04/22/2019 and published on the website on 05/06/2019. This is all the information preserved in the admin backend of the BLT website, if we need more details I may need to reach out to Steve Lennartz.

As for the old language in BLT – Is Fexapan the only product that needs to be removed from BLT? I still need some guidance on what to do with the existing Dicamba PULA. I'm assuming we'll expire the old one right before we publish the newer one?

Thanks for all your help,
Stephen Muela

From: Corbin, Mark <Corbin.Mark@epa.gov>
Sent: Wednesday, October 14, 2020 3:28 PM
To: Kyle, Lee <Kyle.Lee@epa.gov>
Cc: Muela, Stephen <muela.stephen@epa.gov>; Anderson, Brian <Anderson.Brian@epa.gov>
Subject: dicamba

Lee and Stephen

I know when we did the 2018 registration we did BLT or Xtendimax, Engenia and Fexapan. Later in 2019 we registered Syngenta's Tavium product (basically Xtendimax plus metolachlor)

Do you recall if we did a BLT update for Tavium?

Also, sounds like Fexapan is going to come in later so we don't need an update for that but I guess should take it down we remove the old BLT language

Also, RD is going to look at the metadata file and I suggested if their person has any questions we could have a short meeting. I will keep you posted on that

Mark Corbin
Branch Chief, Environmental Risk Branch 6
Environmental Fate and Effects Division (7507P)
Office of Pesticide Programs
U.S. Environmental Protection Agency
Washington DC 20460
703-605-0033

Message

From: Connolly, Jennifer [Connolly.Jennifer@epa.gov]
Sent: 10/26/2020 8:51:54 PM
To: Muela, Stephen [muela.stephen@epa.gov]; Kyle, Lee [Kyle.Lee@epa.gov]; Anderson, Brian [Anderson.Brian@epa.gov]
Subject: RE: General-Jen - 10/22/2020

I not worried about the new products I'm worried about the change in the overall PULA extent. The extent will be different compare to the previous version of the dicamba Bulletin, and the dicamba Bulletin overlap with other chemicals.

If there are areas of the master polygon in the Bulletins database that are part of the old dicamba Bulletin, plus another chemical, we now need to adjust the master polygon to remove the just dicamba section. But we'll need to retain the part of the old PULA that are still part of dicamba so a simple dissolve won't work. There might be an easy solution for this, but we've never faced this before so I'm not sure.

Jen

From: Muela, Stephen <muela.stephen@epa.gov>
Sent: Thursday, October 22, 2020 2:06 PM
To: Kyle, Lee <Kyle.Lee@epa.gov>; Connolly, Jennifer <Connolly.Jennifer@epa.gov>; Anderson, Brian <Anderson.Brian@epa.gov>
Subject: RE: General-Jen - 10/22/2020

I obviously haven't done the exact publishing process before, but my sense is there shouldn't be an issue with the overlapping polygons. The product/Als are stored in a separate table so we can easily adjust those, and the polygon's extent won't change between the 'new' products. I don't think it will be a problem to remove the product info for Fexapan, and update/replace the Engenia, Xtendimax, and Tavium PULAs when the new information is final.

Steve Lennartz did describe the process to deal with overlapping polygons in the BLT SOP, if that does prove to be an issue.

Stephen

From: Kyle, Lee <Kyle.Lee@epa.gov>
Sent: Thursday, October 22, 2020 1:21 PM
To: Connolly, Jennifer <Connolly.Jennifer@epa.gov>; Anderson, Brian <Anderson.Brian@epa.gov>; Muela, Stephen <muela.stephen@epa.gov>
Subject: RE: General-Jen - 10/22/2020

I'm adding Stephen to the discussion

Lee

From: Connolly, Jennifer <Connolly.Jennifer@epa.gov>
Sent: Thursday, October 22, 2020 1:18 PM
To: Kyle, Lee <Kyle.Lee@epa.gov>; Anderson, Brian <Anderson.Brian@epa.gov>
Subject: RE: General-Jen - 10/22/2020

The information for the different products should be easy to update, even if we split it up. The PULA may not be, given we have never done this before with a PULA that has overlapping polygons. Have you guys worked through that process? Sorry if I'm bring up something you've already worked out, I want to make sure we have our bases covered.

Jen

From: Kyle, Lee <Kyle.Lee@epa.gov>

Sent: Thursday, October 22, 2020 1:05 PM

To: Anderson, Brian <Anderson.Brian@epa.gov>; Connolly, Jennifer <Connolly.Jennifer@epa.gov>

Subject: RE: General-Jen - 10/22/2020

In our meeting with RD on Monday we discussed how to retire the old Bulletins

- Discussion
 - Just remove Fexipan and update the other three
 - We could pull down Extendimax and Engenia now
 - As for Tavium, I think we decided we could just take it down when the new ones are ready
 - Steve thought it would be easiest to update the new information when we expired the old ones
- Decision
 - Everyone was okay doing whatever would be easiest

Lee

From: Anderson, Brian <Anderson.Brian@epa.gov>

Sent: Thursday, October 22, 2020 12:57 PM

To: Connolly, Jennifer <Connolly.Jennifer@epa.gov>; Kyle, Lee <Kyle.Lee@epa.gov>

Subject: RE: General-Jen - 10/22/2020

Thanks Jen

I was assuming the effective date would be the registration date – but checking with OGC if it has to be that date and trying to get that date now.

I also included the question about updating the existing bulletin – i am recommending updating the current bulletin, but will see if OGC has any concern with that.

Brian

From: Connolly, Jennifer <Connolly.Jennifer@epa.gov>

Sent: Thursday, October 22, 2020 12:10 PM

To: Kyle, Lee <Kyle.Lee@epa.gov>; Anderson, Brian <Anderson.Brian@epa.gov>

Subject: RE: General-Jen - 10/22/2020

Do we have everything we need to load the Bulletin? Specifically, the effective date and the decision on if the existing Bulletin can be updated or if we need to start fresh due to the vacatur of the registration?

I was reviewing the milestone we outlined back in April, see below, and I haven't heard discussion around the effective date. Is that still TBD? Also do you have a rough estimate on when the document will be finalized? I'm on leave a bit in the beginning of November so I want to make sure we have people prepared for the creation and review of these Bulletins. This will be the first time we updated a Bulletin with overlapping polygons so there may be a few hiccups we need to sort out. Due to the complexity of this Bulletin I think it will be easier if we start fresh and can remove the previous PULA. But if we legally need to retain it as a record we can, but we should plan on having a few hurdles to get over in those 2 weeks.

Jen

Action Items:

EISB help with the Effects Determination : Jen will coordinate with Wagman, Lowit, Frank and Ed

- ☒ JC -check if there are any newly listed species or updates to species ranges/critical habitat that place a species not part of the previous 2 effect determinations within the 34 states
- ☒ TDB –for new species make on/off field calls, for new critical habitat check the PCEs. If there are additional on field species some additional analysis may be needed similar to the whooping crane
- ☒ Dicamba team – confirm impacted taxa after review new data; previously this was non-monocot plants
- ☒ Dicamba team - – confirm drift distance; several distances can be provide to JC to incorporate into the co-occurrence
- ☒ JC – Following the final buffer co-occurrence can be finalized to identify complete list of impacted species and the associated counties
- ☒ JC- update PULA- two PULAs exist, D1- impacted species/counties with buffer, D2- on field species like the bladderpod – no use
- SM – July send updated PULA to Bulletins support team

Bulletins: Stephen will coordinate with the NGST Bulletins support team, RD, Sumathy and Jen

- SM – Possibly clean up common FAQs to be posted on Bulletin's website What did we learn from last time - skipped due to time
- SM-Outreach about the update or general Bulletin training to stakeholders if opportunities are available - skipped due to timing
- ☒ SM -- confirm all product and limitation information used in Bulletins with RD and Dicamba team
- SM – Share updated PULA with registrant through RD – possible via the Bulletins system if ready – back up would be maps in a PowerPoint like last time
- SM – confirm effective date (this may need to be shifted so it is closer to the final decision from RD)
- SM — Send PULA to Bulletins support team
- SM and SS (JC can help if needed) – Populate and QC new PULA in Bulletin
- SM – finalize Bulletin with the final decision from RD and publish

From: Kyle, Lee <Kyle.Lee@epa.gov>

Sent: Thursday, October 22, 2020 11:46 AM

To: Connolly, Jennifer <Connolly.Jennifer@epa.gov>; Anderson, Brian <Anderson.Brian@epa.gov>

Subject: RE: General-Jen - 10/22/2020

Hi Jen,

As for the schedule for Bulletins, here are the next steps as I and Stephen understand them. Please let me know if this isn't correct

RD will send the information Stephen prepared to the registrants for concurrence and RD will verify that the Bulletins language is correctly captured into the label. Once registrants concur we can finalize dicamba, and then we have up to two weeks to get the PULA published in Bulletins.

Lee

From: Connolly, Jennifer <Connolly.Jennifer@epa.gov>

Sent: Thursday, October 22, 2020 8:47 AM

To: Connolly, Jennifer <Connolly.Jennifer@epa.gov>; Kyle, Lee <Kyle.Lee@epa.gov>; Anderson, Brian <Anderson.Brian@epa.gov>

Subject: General-Jen - 10/22/2020

Lee and Brian,

Below are my notes for my general. We'll only have 30 minutes today.

Jen

Link to meeting notes: [General-Jen - 10/22/2020](#) (Web view)

General-Jen - 10/22/2020

Thursday, October 22, 2020
8:37 AM




Meeting Date: 10/22/2020 2:00 PM

Location: Branch Chief's office

Link to Outlook Item: [click here](#)

Invitation Message

Participants

-  [Connolly, Jennifer](#) (Meeting Organizer)
-  [Kyle, Lee](#) (Accepted in Outlook)
-  [Anderson, Brian](#)

Notes

Dicamba

- I have a few concerns about the document
- Is there a schedule for Bulletins
- As a general statement, the process for dicamba has not gone well for Stephen or I and we may want to discuss some of these issues once finished the document and get Bulletins released

BEs

- Glyphosate - usage appendices need to go to the team and then BEAD
- Neonics - Met with Vanessa this week, should we start working on updates? Do we think we'll be able to get others to help?
 - Status of the Census of Ag
 - I'd like include the team leads for each chemical as optional to the GIS meeting- so they can see the agenda and progress. If we need them at a meeting we can let them know
 - Teams Channel
- Carbaryl/Methomyl
 - Is there anything I should be aware of?

Message

From: Crawford, Lydia [Crawford.Lydia@epa.gov]
Sent: 10/14/2020 9:17:10 PM
To: Corbin, Mark [Corbin.Mark@epa.gov]
CC: Kenny, Daniel [Kenny.Dan@epa.gov]; Hathaway, Margaret [Hathaway.Margaret@epa.gov]; Anderson, Brian [Anderson.Brian@epa.gov]; Kyle, Lee [Kyle.Lee@epa.gov]; Muela, Stephen [muela.stephen@epa.gov]
Subject: RE: BLT
Attachments: Dicamba_Metadata_2020.10.14.xlsx

Hi Mark,
Attached is the updated file.
Best,
Lydia

From: Corbin, Mark <Corbin.Mark@epa.gov>
Sent: Wednesday, October 14, 2020 4:08 PM
To: Crawford, Lydia <Crawford.Lydia@epa.gov>
Subject: RE: BLT

Yes. One tab for each of the products that will be registered this month. Xtendimax, Engenia and Tavium

Sounds like from Dan Fexapan will come in later

mark

From: Crawford, Lydia <Crawford.Lydia@epa.gov>
Sent: Wednesday, October 14, 2020 4:06 PM
To: Corbin, Mark <Corbin.Mark@epa.gov>
Subject: RE: BLT

Hey Mark,
That sounds good. To be clear, is the excel file you sent the old, 2018 information that now needs to be updated with the current 2020 info for registration and ESA?
Best,
Lydia

From: Corbin, Mark <Corbin.Mark@epa.gov>
Sent: Wednesday, October 14, 2020 3:40 PM
To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Crawford, Lydia <Crawford.Lydia@epa.gov>
Cc: Anderson, Brian <Anderson.Brian@epa.gov>; Kyle, Lee <Kyle.Lee@epa.gov>; Muela, Stephen <muela.stephen@epa.gov>
Subject: RE: BLT

Thanks Meg

Lydia, I will find a few minutes early next week for you to meet with our folks who manage the Bulletins Live Two (BLT) system where restrictions specific to Endangered Species are managed. We can walk through what we need from RD in the short term and then how to engage with registrants before the BLT system gets updated

mark

From: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Sent: Wednesday, October 14, 2020 3:33 PM
To: Corbin, Mark <Corbin.Mark@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>
Cc: Anderson, Brian <Anderson.Brian@epa.gov>; Kyle, Lee <Kyle.Lee@epa.gov>; Muela, Stephen <muela.stephen@epa.gov>
Subject: RE: BLT

Thanks Mark – Lydia Crawford will be the RD contact for this task.

- Meg

From: Corbin, Mark <Corbin.Mark@epa.gov>
Sent: Wednesday, October 14, 2020 7:49 AM
To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>
Cc: Anderson, Brian <Anderson.Brian@epa.gov>; Kyle, Lee <Kyle.Lee@epa.gov>; Muela, Stephen <muela.stephen@epa.gov>
Subject: RE: BLT

Meg

Two things need to happen. First, we need assistance from RD to get the metadata file I sent earlier updated. I have re-attached the previous document here. This is the document that EISB uses (I've cc'd Lee and Stephen from EISB) to update the BLT restrictions into the web-based service. The sooner we can get this populated the sooner we can start working with the BLT contractor get the updates queued up. (as a note we would need a new tab for Tavium).

The second thing is that last time we gave the registrants a preview of our BLT updates. Lee can correct me but I believe this entailed emailing them a series of files which included a powerpoint showing what restrictions will look like in the system, the metadata, and a geo-database of the updates.

Once that is done and the registration is granted I believe we typically get 15 days to get the updates into the BLT system. At least that is how that worked last time.

I don't think we need a discussion of this with the full team across all divisions but RD and EFED should discuss this.

Mark

From: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Sent: Tuesday, October 13, 2020 7:07 PM
To: Corbin, Mark <Corbin.Mark@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>
Cc: Anderson, Brian <Anderson.Brian@epa.gov>
Subject: RE: BLT

Hello Mark:

Sorry that this topic did not make it onto the dicamba team meeting agenda for today. Are there specific questions you would like me to ask the team/other divisions via email? What do you see as the next step in handling this aspect of the dicamba project?

- Meg

From: Corbin, Mark <Corbin.Mark@epa.gov>
Sent: Friday, October 09, 2020 1:35 PM
To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>

Cc: Anderson, Brian <Anderson.Brian@epa.gov>

Subject: BLT

Meg

Can we have a discussion with the team on Tuesday at the 1 pm meeting to talk about getting the BLT system previewed by the registrants and then ready for posting the BLT on the web?

thanks

Mark Corbin
Branch Chief, Environmental Risk Branch 6
Environmental Fate and Effects Division (7507P)
Office of Pesticide Programs
U.S. Environmental Protection Agency
Washington DC 20460
703-605-0033

Message

From: Anderson, Brian [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=CE7D6E5AD2E94B3F8F5AC4D839A6C268-BRIAN ANDERSON]
Sent: 10/8/2020 12:06:24 PM
To: Matuszko, Jan [Matuszko.Jan@epa.gov]
Subject: RE: Application Rates

Got it. that's a biggie.

From: Matuszko, Jan <Matuszko.Jan@epa.gov>
Sent: Thursday, October 08, 2020 6:42 AM
To: Anderson, Brian <Anderson.Brian@epa.gov>
Subject: RE: Application Rates

Internal deliberative

The bigger issue is that we have now run our analysis with O.5. I know it's imperative for ESA. I don't know if it changes anything (like buffers) for FIFRA.

From: Anderson, Brian <Anderson.Brian@epa.gov>
Sent: Thursday, October 8, 2020 6:27 AM
To: Matuszko, Jan <Matuszko.Jan@epa.gov>; Corbin, Mark <Corbin.Mark@epa.gov>
Subject: RE: Application Rates

Logistically, it's not a huge deal to put whatever on the BLT label – but it could get complicated, which is a different issue.

From: Matuszko, Jan <Matuszko.Jan@epa.gov>
Sent: Thursday, October 08, 2020 6:23 AM
To: Corbin, Mark <Corbin.Mark@epa.gov>; Anderson, Brian <Anderson.Brian@epa.gov>
Subject: RE: Application Rates

Geez.

From: Corbin, Mark <Corbin.Mark@epa.gov>
Sent: Wednesday, October 7, 2020 8:17 PM
To: Matuszko, Jan <Matuszko.Jan@epa.gov>; Anderson, Brian <Anderson.Brian@epa.gov>
Subject: Fwd: Application Rates

FYI

Sent from my iPhone

Begin forwarded message:

From: "Kenny, Daniel" <Kenny.Dan@epa.gov>
Date: October 7, 2020 at 8:06:40 PM EDT

To: "Echeverria, Marietta" <Echeverria.Marietta@epa.gov>, "Hathaway, Margaret" <Hathaway.Margaret@epa.gov>, "Corbin, Mark" <Corbin.Mark@epa.gov>
Subject: FW: Application Rates

Good thing we double checked. They are asking that the 0.5 lbs/acre only apply to the ESA counties. I'm assuming that this would put more demands on the BLT labeling. Also, I'm wondering if our basic eco assessment considered greater than 0.5 pounds for the preemergent applications? I think we could push back if we need to.

From: George Sabbagh <george.sabbagh@bayer.com>
Sent: Wednesday, October 07, 2020 7:11 PM
To: Kenny, Daniel <Kenny.Dan@epa.gov>
Subject: Re: Application Rates

Dan,
Bayer position is the 0.5 lbs ai/ac will be max single rate for ESA counties only.

George J. Sabbagh
Regulatory Affairs
Bayer CropScience
913.231.6291

On Oct 7, 2020, at 6:30 PM, Kenny, Daniel <Kenny.Dan@epa.gov> wrote:

All uses.

From: George Sabbagh <george.sabbagh@bayer.com>
Sent: Wednesday, October 07, 2020 6:29 PM
To: Kenny, Daniel <Kenny.Dan@epa.gov>
Subject: Re: Application Rates

Is this for ESA counties or all uses?

George J. Sabbagh
Regulatory Affairs
Bayer CropScience
913.231.6291

On Oct 7, 2020, at 5:39 PM, Kenny, Daniel <Kenny.Dan@epa.gov> wrote:

Hi George. Can you please confirm that the Xtendimax label will specify a maximum of 0.5 pound active ingredient per application? This would include any application for the DT crops, not just the OTT applications. We need this confirmation for the EFED assessment.

Thanks very much,

Dan

Daniel Kenny, Chief
Herbicide Branch
Registration Division
Office of Pesticide Programs
U.S. Environmental Protection Agency

Message

From: EPA Press Office [press@epa.gov]
Sent: 10/27/2020 10:30:03 PM
To: Beck, Nancy [Beck.Nancy@epa.gov]
Subject: Administrator Wheeler Meets with
Agricultural Stakeholders in Florida,
Georgia

Administrator Wheeler Meets with Agricultural Stakeholders in Florida, Georgia

xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx

Savannah, Ga. (October 27, 2020) — Today, U.S. Environmental Protection Agency (EPA) Administrator Andrew Wheeler and EPA Region 4 Administrator Mary Walker visited farms in both Florida and Georgia, signing a Memorandum of Understanding (MOU) with

the Georgia Department of Agriculture and announcing the 2020 dicamba registration decisions.

“EPA is proud of its strong relationship with the agricultural community, and this MOU and re-registration of Dicamba are more examples of ongoing cooperation,” **said EPA Administrator Andrew Wheeler**. “EPA worked hard so farmers can use previously purchased dicamba despite a surprise court decision in June that threatened to end the planting season — and the livelihood — of many farmers. With this reregistration, farmers will have more confidence about their crop investments for the next growing season.”

Administrator Wheeler began the day at the Diamond D. Ranch, Inc. in Jacksonville, Fla. with U.S. Congressman John Rutherford (FL-04) and the Florida Farm Bureau, where he previewed an upcoming MOU between the agency and the Florida Department of Agriculture.

“The coronavirus pandemic has demonstrated the importance of a steady domestic food supply, which our farmers and producers have stepped up to provide,” **said U.S. Congressman John Rutherford (FL-04)**. “With today’s announcement, the Trump Administration is once again putting American farmers first, supporting the agriculture industry and ensuring our environment remains clean and free of pollution and waste. Thank you to EPA Administrator Wheeler for spending time today with Florida farmers and those working in the agriculture sector, the second largest economic driver in the state.”

“Historically, the EPA has treated farmers and ranchers as culprits rather than partners in caring for our natural resources,” **said Florida Farm Bureau President John L. Hoblick**. “Thanks to the current administration and Administrator Wheeler, farmers and ranchers can engage in a healthy and honest dialogue with EPA to address the conjoined challenges of feeding the world while preserving our water and lands. Farmers are the leading environmentalists in this country, and we are grateful for the ongoing collaboration with EPA.”

While at the Cromley Farm in Brooklet, Ga., Region 4 Administrator Mary Walker and Georgia Commissioner of Agriculture Gary Black signed a MOU to establish collaborative efforts and foster relationships between agencies.

“This MOU with the Georgia Department of Agriculture demonstrates our commitment to better engage with the agricultural community,” **said EPA Region 4 Administrator Mary S. Walker**. “Protecting our nation’s air, water and land resources are goals both the EPA and the Georgia Department of Agriculture share, and we will partner towards finding opportunities to work together to achieve success.”

“The Georgia Department of Agriculture appreciates the opportunity to enhance communications and future collaborations with EPA Region 4 and our Regional Administrator, Mary Walker,” **said Georgia Commissioner of Agriculture Gary Black**.

“Our agency’s share a vital and mutual goal of conserving and protecting our precious natural resources which allow for the food and fiber production necessary to sustain a growing population.”

The MOU between EPA and the Georgia Department of Agriculture includes communication/coordination; education and outreach; and recognition of environmental stewardship activities. Highlights in the MOU include:

- Hosting Agriculture Roundtables and/or Educational Farm Tours to foster a dialogue between EPA and the agricultural community on the successes, challenges, and opportunities to work together to achieve well-managed, productive farms and a clean environment.
- Participating in agricultural events such as state fairs, farm shows, and technical field days to expand open discussion between EPA and the agricultural community.
- Recognizing farmers for their environmental stewardship and conservation efforts that contribute to efficient farms, healthy soils, and clean water.

In addition to Regional Administrator Walker and Commissioner Black, Administrator Wheeler was joined by U.S. Congressmen Buddy Carter (GA-01), Austin Scott (GA-08), and Rick Allen (GA-12), American Farm Bureau Federation President Zippy Duvall, and National Cotton Council President Kent Fountain at the farm. He announced the approval of new five-year registrations for two dicamba products and extending the registration of an additional [dicamba product](#).

“This is a very important announcement for our agriculture community,” **said U.S. Congressman Ear “Buddy” Carter (GA-01)**. “Halting the use of herbicides that farmers have already invested countless dollars in would lead to devastating damage for our farmers and rural communities. I applaud the EPA for providing this much needed security and clarity for the agriculture community moving forward, and I think Administrator Wheeler for coming to Georgia to tell our farmers firsthand.”

“President Trump and his Administration understand the importance of our agriculture industry, and when American farmers speak, they listen. Today’s announcement will provide access to important dicamba products that will allow our farmers to continue to be the most productive in the world and provide them with much needed flexibility,” **said U.S. Congressman Rick Allen (GA-12)**.

“Our farmers make fiber, food, and fuel for the world, and without close partnerships with agencies like the EPA and certainties to plan operations, they would be unable to do so,” **said U.S. Congressman Austin Scott (GA-08)**. “I’m very glad to see this MOU between EPA and the Georgia Department of Agriculture, and the announcement to allow new registrations of dicamba products for cotton and soybeans - two important crops in rural Georgia. This will balance environmental concerns while giving our farmers impacted by the effects of COVID-19 more certainty as they plan their operations. This move will better help farmers recover from market losses and collapses

associated with the pandemic, and I look forward to seeing the positive impacts of this change for the industry and our rural communities who support agriculture.”

“We’re pleased the EPA has approved a new registration for dicamba that will allow farmers to plan for the next few years, removing a cloud of recent uncertainty. The registration demonstrates EPA’s continued commitment to using sound science to support its registration decisions and ensures farmers have access to a much-needed tool for weed management. Dicamba is one of many technologies farmers rely on as part of a sustainability strategy to protect crops while also reducing water use, retaining nutrients in the soil, and lowering emissions,” said **American Farm Bureau Federation (AFBF) President Zippy Duvall**.

“The economic damage that would result from not being able to use dicamba herbicides would be tremendous,” **National Cotton Council (NCC) Chairman Kent Fountain said**. “We greatly appreciate EPA’s timely issuance of a new five-year label for this critical crop protection product for cotton producers.”

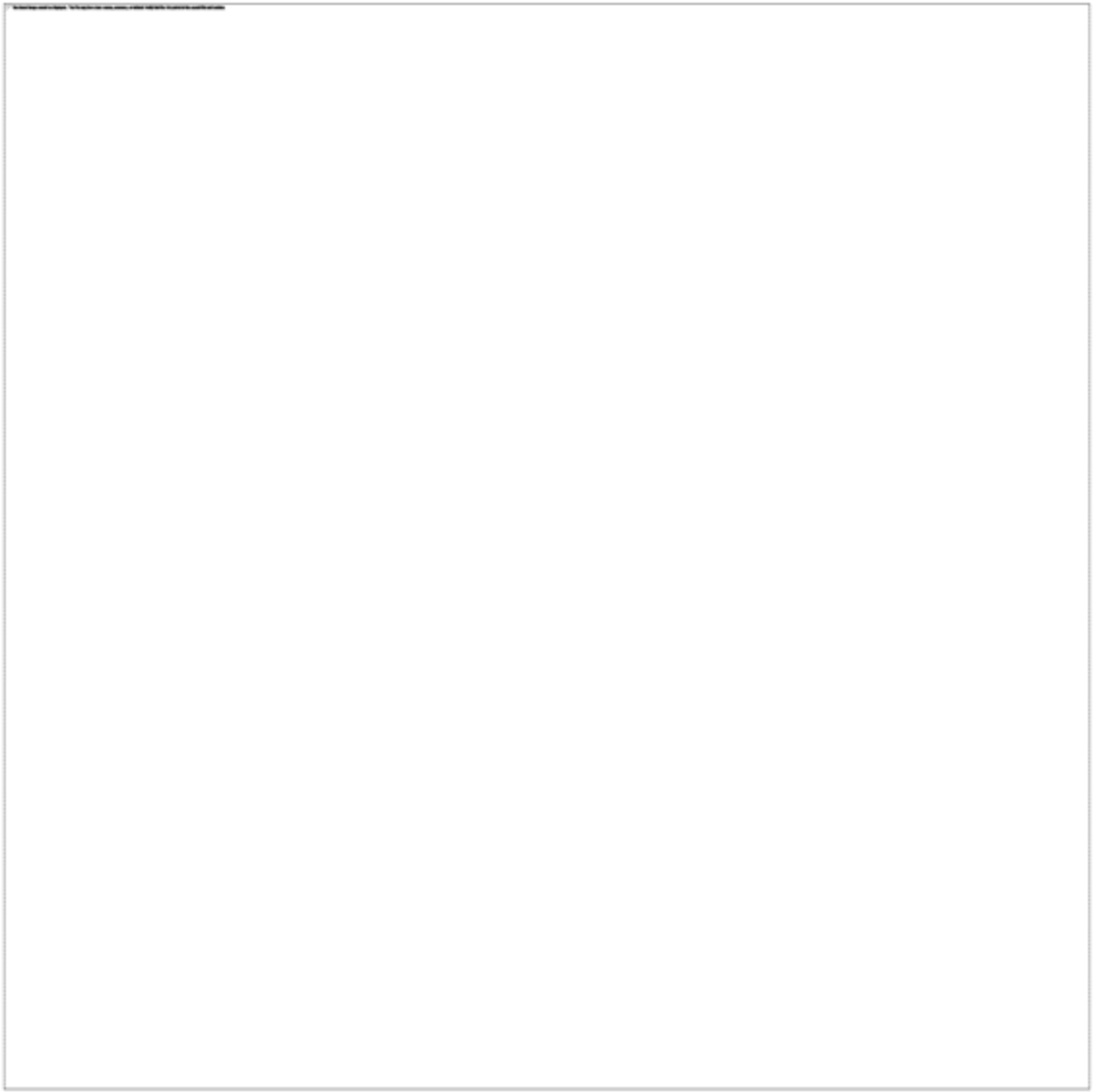
All three registrations include new mitigation efforts to ensure these products can be used effectively while protecting the environment, including non-target plants, animals, and other crops not tolerant to dicamba.

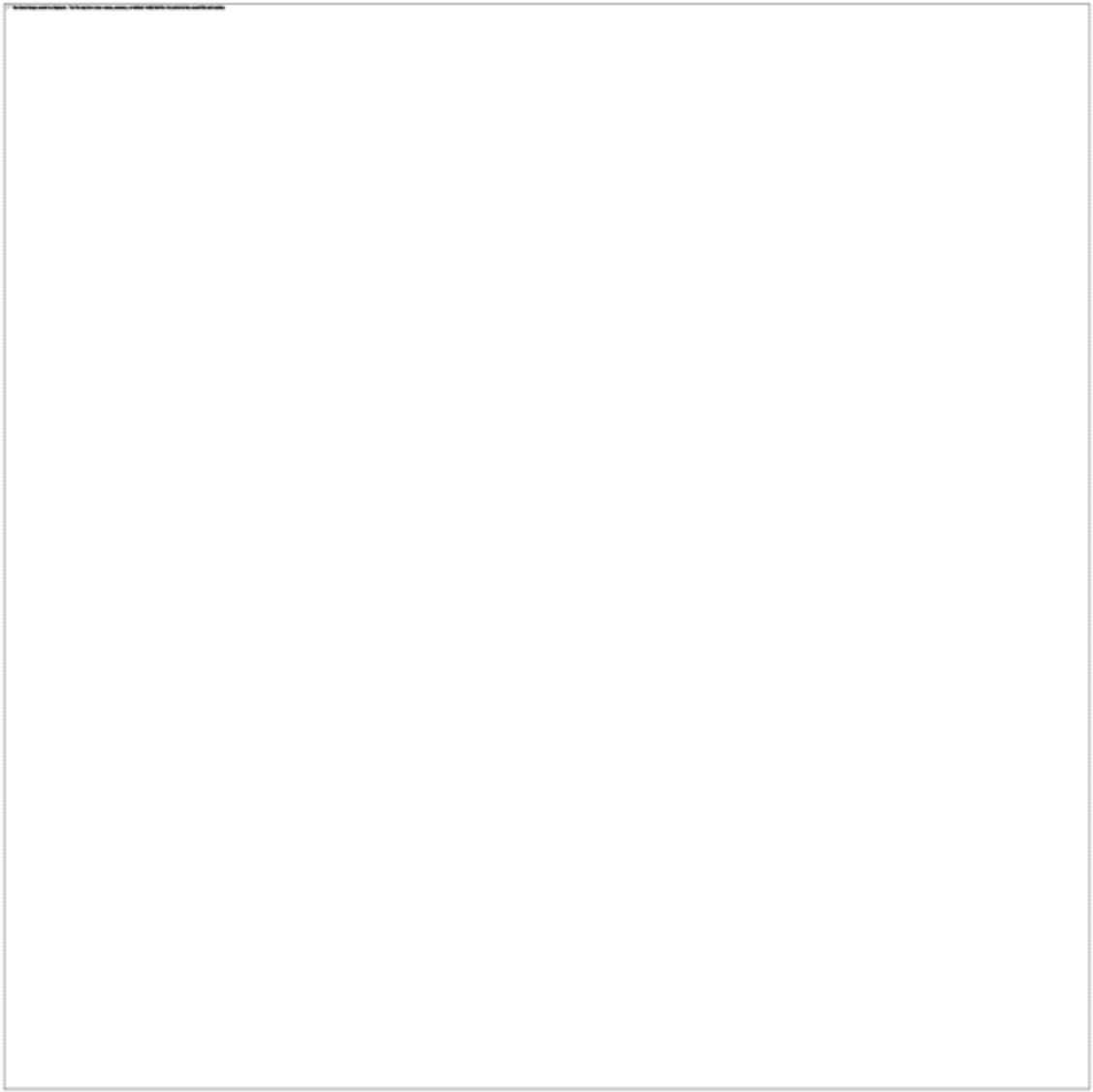
EPA approved new registrations for two “over the top” (OTT) dicamba products—XtendiMax with VaporGrip Technology and Engenia Herbicide—and extended the registration for an additional OTT dicamba product, Tavium plus VaporGrip Technology. These registrations are only for use on dicamba-tolerant (DT) cotton and soybeans and will expire in 2025, providing certainty to American agriculture for the upcoming growing season and beyond.

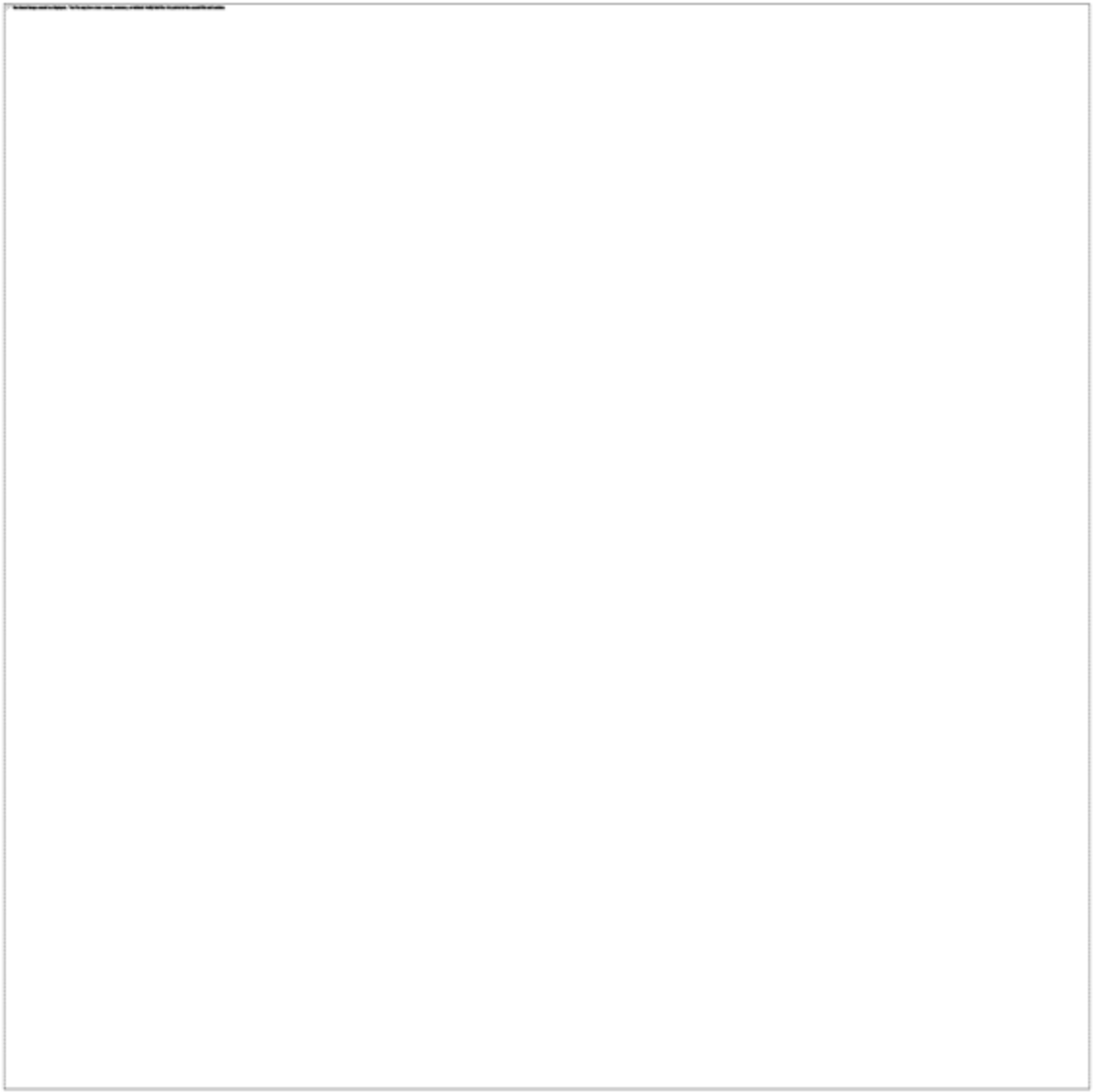
To manage off-site movement of dicamba, EPA’s 2020 registration features important control measures, including:

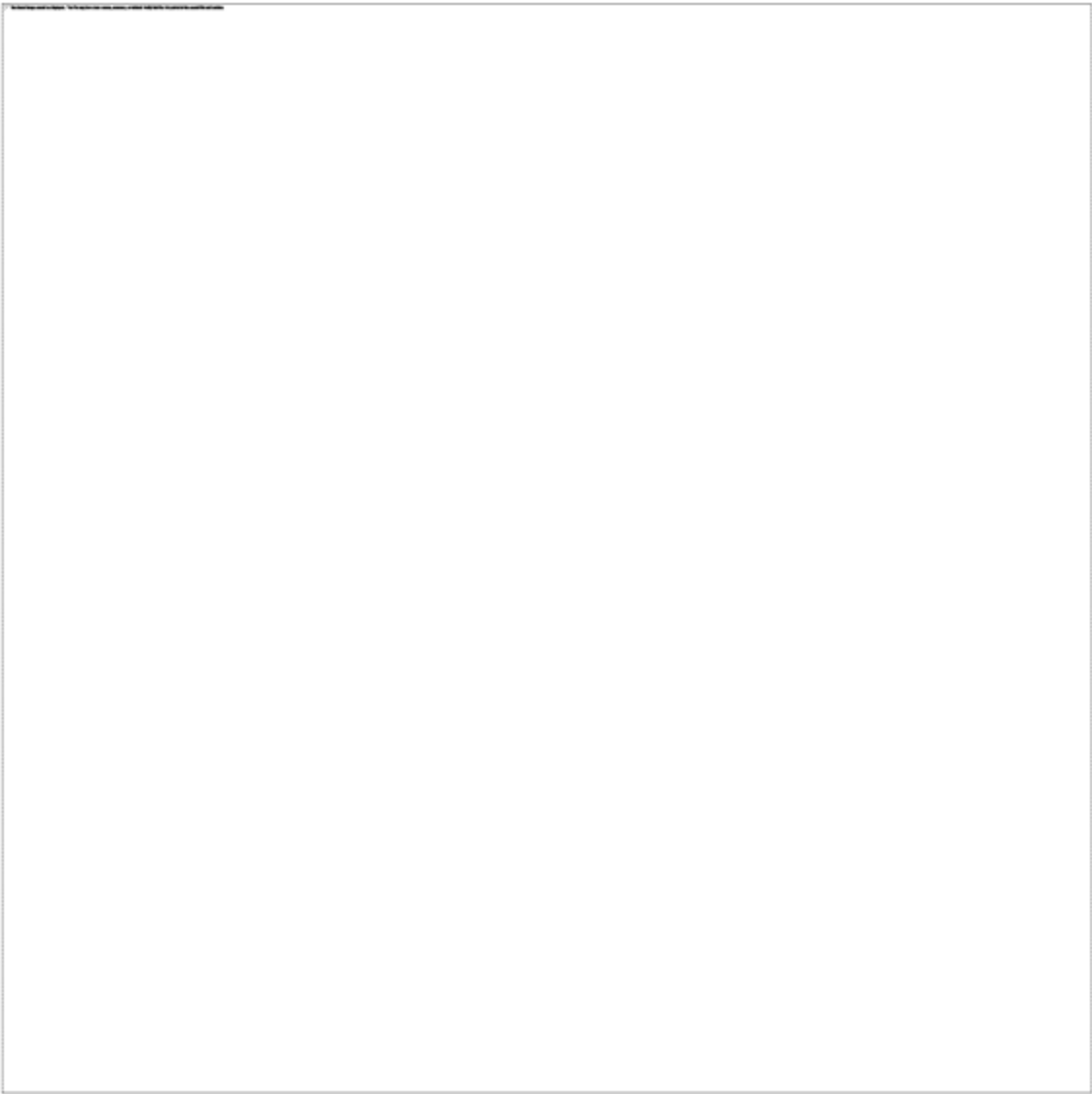
- Requiring an approved pH-buffering agent (also called a Volatility Reduction Agent or VRA) be tank mixed with over-the-top dicamba products prior to all applications to control volatility.
- Requiring a downwind buffer of 240 feet and 310 feet in areas where listed species are located.
- Prohibiting OTT application of dicamba on soybeans after June 30 and cotton after July 30.
- Simplifying the label and use directions so that growers can more easily determine when and how to properly apply dicamba.
- Implementing new measures that consider how dicamba can affect endangered species and the resources that they may depend on.

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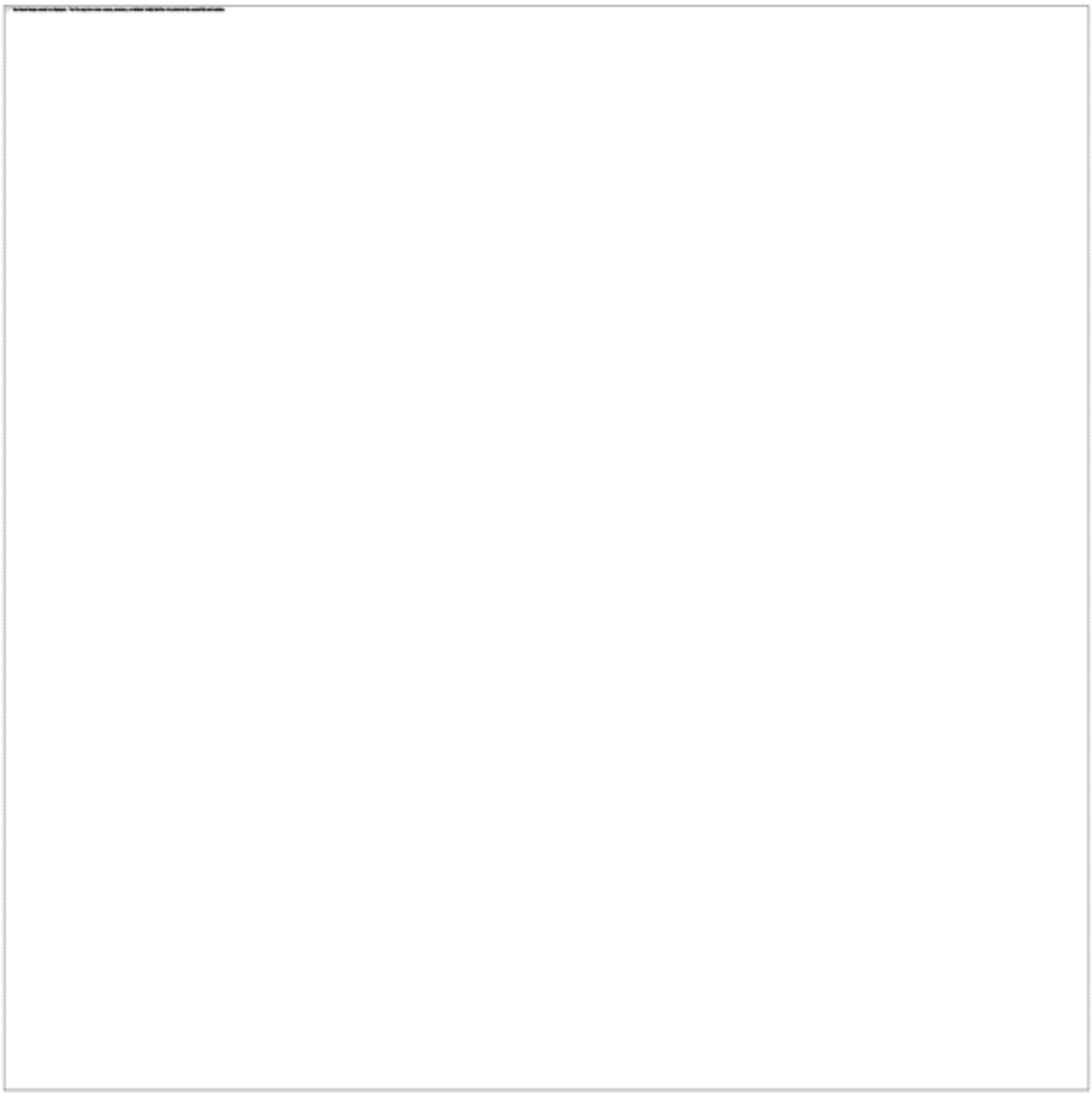


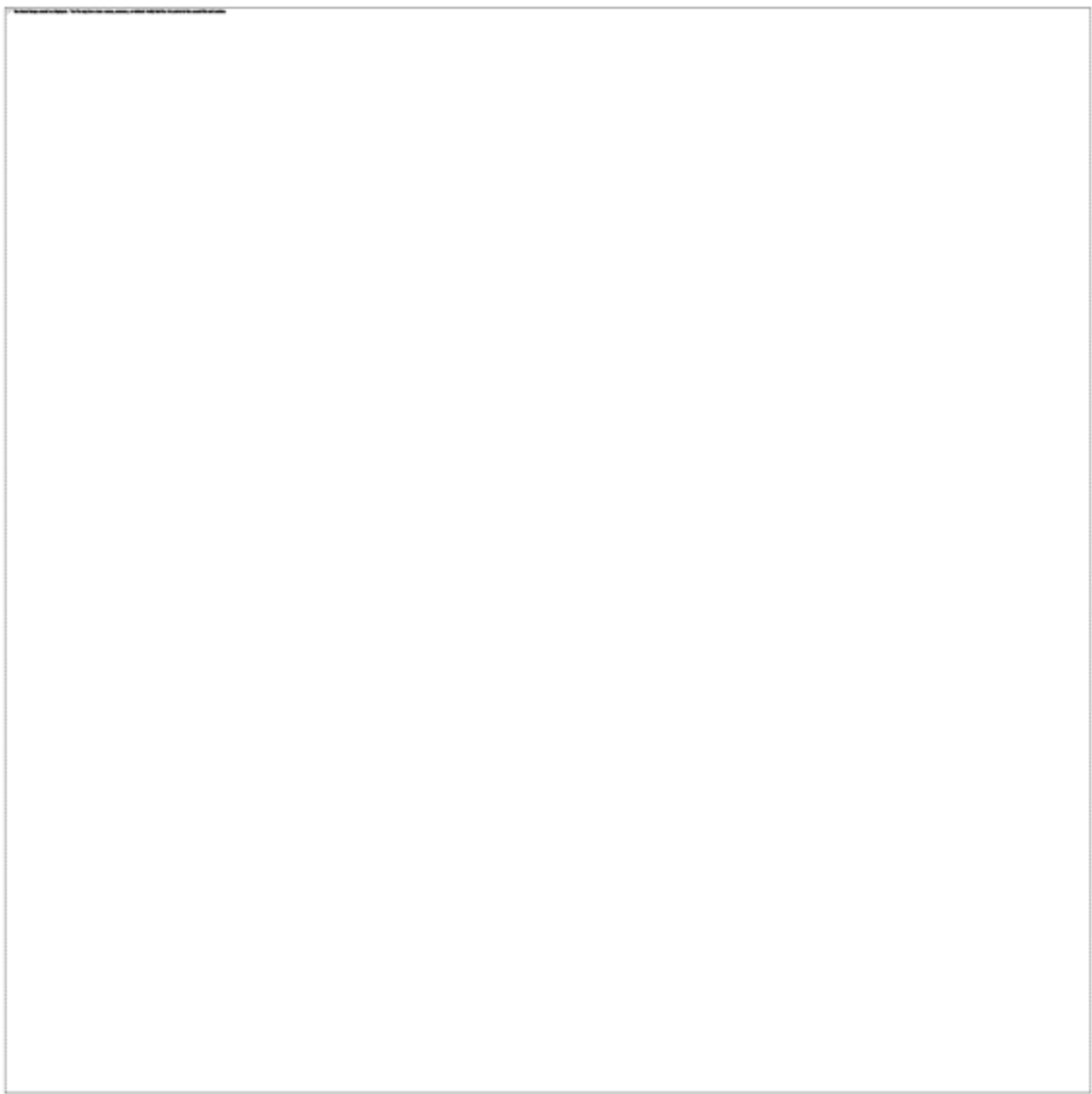


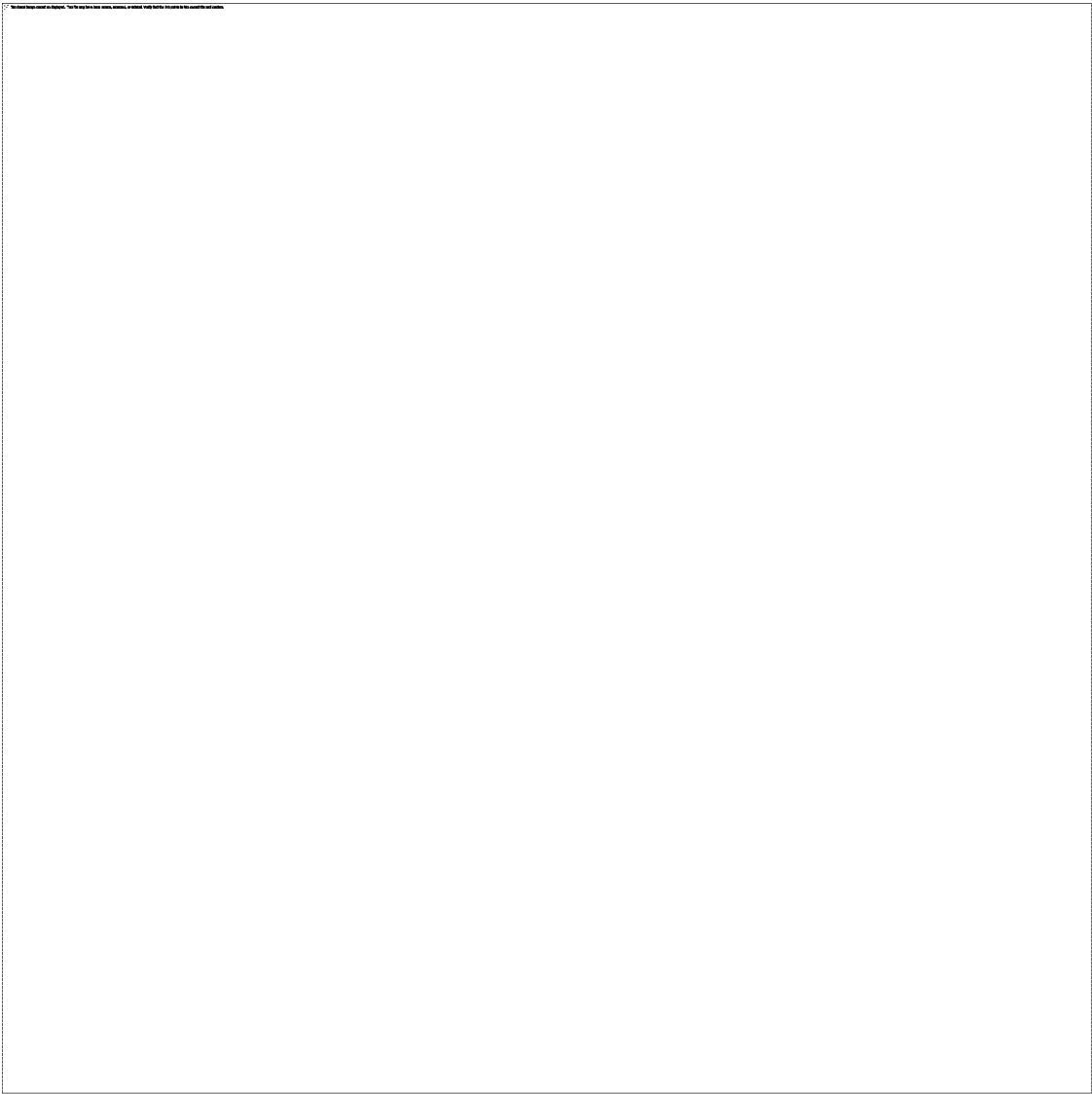




Administrator Wheeler, Regional Administrator Walker, and Congressman John Rutherford at Diamond D. Ranch in Jacksonville, Florida.

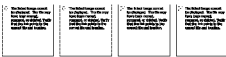






Administrator Wheeler, Assistant Administrator Dunn, and Congressman Austin Scott at Cromley Farm
in Brooklet, Georgia.

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